

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: March 26, 2008

CALLED TO ORDER: 5:33 p.m.

ADJOURNED: 6:45 p.m.

ATTENDANCE

Attending Members

Ryan Vaughn, Chair
Vernon Brown
Ed Coleman
Mary Moriarty Adams
William Oliver
Marilyn Pfisterer
Christine Scales

Absent Members

Bob Cockrum

AGENDA

PROPOSAL NO. 126, 2008 - appoints Margaret Payne to the Marion County
Community Corrections Advisory Board

“Do Pass”

Vote: 7-0

PROPOSAL NO. 127, 2008 - appoints Avachino Reeves to the Crime Prevention
Advisory Board

“Do Pass”

Vote: 7-0

PROPOSAL NO. 153, 2008 - appoints Jeffrey M. Wells to the Crime Prevention
Advisory Board

“Postpone” until April 16, 2008

Vote: 6-0

PROPOSAL NO. 154, 2008 - appoints Jason Barclay to the Law Enforcement Advisory
Council

“Do Pass”

Vote: 6-0

PROPOSAL NO. 161, 2008 - appoints Christina F. Trexler to the Marion County
Community Corrections Advisory Board

“Do Pass”

Vote: 6-0

PROPOSAL NO. 128, 2008 - confirms the Marion County Public Defender Board's nomination of Robert J. Hill as Marion County Chief Public Defender

“Do Pass”

Vote: 7-0

PROPOSAL NO. 129, 2008 - appropriates \$38,493 in the 2008 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to cover partial salary and benefit costs for the Assistant Juvenile Disposition Coordinator and to pay for psychological evaluations and assessments and discretionary needs, funded by a U.S. Department of Justice grant administered by the Indiana Criminal Justice Institute

“Do Pass”

Vote: 7-0

PROPOSAL NO. 130, 2008 - appropriates \$63,131 in the 2008 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to fund the Juvenile Intra-Family Violence Diversion Program, sentencing consultants for adult court, and a contract with Midtown Mental Health Center for a mental health coordinator, funded by a U.S. Department of Justice grant administered by the Indiana Criminal Justice Institute

“Do Pass”

Vote: 7-0

PROPOSAL NO. 131, 2008 - appropriates \$245,515 in the 2008 Budget of the Marion County Justice Agency (State and Federal Grants and Law Enforcement Funds) to fund the operations of the Metro Drug Task Force through the end of 2008, funded by a grant from the Indiana Criminal Justice Institute and a transfer in the Law Enforcement Fund of DNA casework in the Marion County Crime Lab, financed by a grant from the U.S. Department of Justice in association with the National Institute of Justice

“Do Pass”

Vote: 6-0

PROPOSAL NO. 132, 2008 - approves an appropriation of \$60,000 in the 2008 Budget of the Department of Public Safety, Fire Division (Non-Lapsing Federal Grants Fund) to enable Indiana Task Force One to hold two training events for the National Urban Search and Rescue Response System and cover additional fuel costs and purchase additional equipment from the Federal Emergency Management Agency (FEMA) approved cache list, funded by a grant from FEM) and a transfer

“Do Pass”

Vote: 7-0

PROPOSAL NO. 157, 2008 - amends the Revised Code with regards to the community corrections advisory board membership

“Do Pass”

Vote: 6-0

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, March 26, 2008. Chair Ryan Vaughn called the meeting to order at 5:33 p.m. with the following members present: Vernon Brown, Ed Coleman, Mary Moriarty Adams, William Oliver, Marilyn Pfisterer, and Christine Scales. Absent was Bob Cockrum. Also in attendance was General Counsel Robert Elrod.

PROPOSAL NO. 126, 2008 - appoints Margaret Payne to the Marion County Community Corrections Advisory Board

Ms. Payne said she has served in the mental health field for 23 years and is currently the Chief Executive Officer (CEO) of the Mid-town Mental Health Center. She said she has experience working with individuals who suffer from mental illness and may be involved with community corrections or the criminal justice system. Ms. Payne said she would like to bring her expertise to the board.

Councillor Vaughn said Ms. Payne was recommended to the Council and will serve on the board filling the requirement for a mental health professional.

Councillor Coleman moved, seconded by Councillor Pfisterer, to send Proposal No. 126, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 127, 2008 - appoints Avachino Reeves to the Crime Prevention Advisory Board

Mr. Reeves said he currently serves as a director with the Secretary of State's office and is working with the City of Lawrence to upgrade a number of their community crime watch programs. He said he also has re-started a crime watch program in the 42nd and Post Road area, which is one of the city's high crime areas. Mr. Reeves said he has always had a passion for assisting neighborhoods with crime prevention programs.

Councillor Brown asked if the crime watch programs are with Lawrence Police Department or Indianapolis Metropolitan Police Department (IMPD). Mr. Reeves said, at this time, they are not working with an IMPD contact. Most of their projects have been supported by the community groups and apartment complexes. Councillor Brown asked if they are working with faith-based organizations. Mr. Reeves replied in the affirmative.

Councillor Oliver asked if any intervention was done before the tragedy in Amber Woods two years ago. Mr. Reeves said they held peace demonstrations, but he admits that it is difficult to target a central location to hold demonstrations where everyone is willing to attend.

Councillor Coleman moved, seconded by Councillor Moriarty Adams, to send Proposal No. 127, 2008 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 7-0.

[Clerk’s note: Councillor Brown left at 5:44 p.m.]

PROPOSAL NO. 153, 2008 - appoints Jeffrey M. Wells to the Crime Prevention Advisory Board

Chair Vaughn said Mr. Wells is unavailable to attend this evening’s meeting.

Councillor Pfisterer moved, seconded by Councillor Oliver, to “Postpone” Proposal No. 153, 2008 until April 16, 2008. The motion carried by a vote of 6-0.

PROPOSAL NO. 154, 2008 - appoints Jason Barclay to the Law Enforcement Advisory Council

Mr. Barclay said he currently practices law and spent three years in government working on public safety. He said he supervised the state and excise police and the Department of Homeland Security. Mr. Barclay said prior to his position with the State, he served as a law clerk in the Marion County Prosecutor’s Office. He said he would appreciate the opportunity to continue serving the City.

Councillor Pfisterer moved, seconded by Councillor Moriarty Adams, to send Proposal No. 154, 2008 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 6-0.

PROPOSAL NO. 161, 2008 - appoints Christina F. Trexler to the Marion County Community Corrections Advisory Board

Ms. Trexler said she has always been interested in behavior and currently works as a Sentencing Litigation Specialist in criminal defense cases. She said she is interested in helping people learn to prevent repeating negative behavior.

Chair Vaughn said Ms. Trexler has been very interested in this particular area, and he recommends her to serve on the board.

Councillor Oliver asked if Ms. Trexler is familiar with the Duvall Center. Ms. Trexler said she has not been to the center, but is familiar with their initiatives.

Mr. Elrod said Ms. Trexler needs to establish that she is a resident of Marion County, as her information sheet has no address. Ms. Trexler said she is a resident of Marion County and will provide the Clerk with her home address.

Councillor Scales moved, seconded by Councillor Oliver, to send Proposal No. 161, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 6-0.

[Clerk's note: Councillor Brown returned at 5:52 p.m.]

PROPOSAL NO. 128, 2008 - confirms the Marion County Public Defender Board's nomination of Robert J. Hill as Marion County Chief Public Defender

Mr. Hill said he has been doing public defender work for most of his professional life and has taken a great deal of interest in public defender work by serving on the Board of Directors with the Indiana Defender Council and on the Board of Directors for the Marion County Public Defender. He said he has been a Public Defender in almost every court in Marion County and has done work in federal courts. Mr. Hill said he has worked closely with Dave Cook, Marion County Public Defender, and helped him establish the commissioner's reimbursement program, which has provided a significant amount of income to Marion County. He said he looks forward to being able to continue the reimbursement process, maintain a high level of service, and take steps to better improve the agency.

Councillor Brown said he looks forward to seeing Mr. Hill move the agency forward. He said it is important to provide good service to those citizens that cannot afford to defend themselves.

Councillor Scales asked for highlights in areas Mr. Hill would like to see the agency improve. Mr. Hill said he would like to see a mentoring program in the office, improvements in training, and an improvement in work product and case assignments.

Councillor Pfisterer asked if there is someone that is available to provide sign language for citizens in need. Mr. Hill said the court has to see to it that adequate interpreting services are provided to those in need.

Chair Vaughn thanked Mr. Cook for his service to the Public Defender's Office.

Mr. Cook said he is very sensitive as to who he would turn over his 13 years of professional labor, and he was pleased to learn that Mr. Hill was interested in the position. He said Mr. Hill has the passion to do the work that is needed for the office and

he believes the decisions he will have to make will be guided by the best interest of clients and employees. Mr. Cook urged the committee to approve Mr. Hill's appointment.

Brian Tuohy, Public Defender Board member, said the board had an intensive interview process with several qualified candidates, and the board's vote was unanimous to recommend Mr. Hill to serve as the Public Defender. He said, as a member of the board, he would like to thank Mr. Cook for his many years of terrific service to the community.

Councillor Scales moved, seconded by Councillor Moriarty Adams, to send Proposal No. 128, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 129, 2008 - appropriates \$38,493 in the 2008 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to cover partial salary and benefit costs for the Assistant Juvenile Disposition Coordinator and to pay for psychological evaluations and assessments and discretionary needs, funded by a U.S. Department of Justice grant administered by the Indiana Criminal Justice Institute

Deborah Green, Chief Financial Officer (CFO) for the Public Defender's Office, said this proposal is requesting an appropriation for a continuing grant from January 1, 2008 to December 31, 2008. She said it is a 50% grant, which means 50% of the funds are matching funds already appropriated in the General Fund. Ms. Green said the other 50% of this grant will assist in funding the partial salary of the Assistant Juvenile Coordinator, who will screen dispositions.

Chair Vaughn asked how many juveniles receive these types of services. Ms. Green said 180 juveniles were committed in 2005, and 148 juveniles were committed in 2006. She said she believes there was a decrease in the number of commitments to the Department of Correction (DOC) from Marion County in the last year due to these services being provided.

Councillor Pfisterer moved, seconded by Councillor Moriarty Adams, to send Proposal No. 129, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 130, 2008 - appropriates \$63,131 in the 2008 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to fund the Juvenile Intra-Family Violence Diversion Program, sentencing consultants for adult court, and a contract with Midtown Mental Health Center for a mental health coordinator, funded by a U.S. Department of Justice grant administered by the Indiana Criminal Justice Institute

Ms. Green said this grant will expire December 31, 2008 and it is a 50-50 match of funds, which will target several of their programs. She said the Juvenile Intra-Family Violence Program directs families where violence has been committed who are seeking family counseling to dismiss charges upon successful completion of the program. The grant also funds their sentencing consultants for adult court, and the largest portion of the grant funds will go toward their contract with Midtown Mental Health Center to fund a mental health coordinator. She said the mental health coordinator will serve as the liaison between mentally ill inmates and the court system. Their duties are to refer inmates who are identified as potentially mental ill to the jail medical office for medical screening and evaluation.

Councillor Pfisterer asked if the 50% match is already in the budget. Ms. Green replied in the affirmative.

Councillor Oliver asked if the same family can receive more than one of these services. Ms. Green said a family could receive more than one of these services, but they are not necessarily associated.

Mr. Cook said the programs are separate; one targets juveniles and the other targets adults.

Councillor Oliver moved, seconded by Councillor Pfisterer, to send Proposal No. 130, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 131, 2008 - appropriates \$245,515 in the 2008 Budget of the Marion County Justice Agency (State and Federal Grants and Law Enforcement Funds) to fund the operations of the Metro Drug Task Force through the end of 2008, funded by a grant from the Indiana Criminal Justice Institute and a transfer in the Law Enforcement Fund of DNA casework in the Marion County Crime Lab, financed by a grant from the U.S. Department of Justice in association with the National Institute of Justice

[Clerk's note: Councillor Pfisterer left at 6:13 p.m.]

Steve Dyson, Fiscal Deputy for the Marion County Justice Agency, said this proposal is a combination of two related requests for grant funding and a transfer in the Law Enforcement Fund. He said the grant is the Justice Assistance Grant, which is a federal grant from the Department of Justice and rewarded through the Indiana Criminal Justice Institute (ICJI) to fund the Metro Drug Task Force. The amount of this grant is \$189,892, with a requirement of a 50% match funded by the State Law Enforcement Fund and is a part of the 2008 budget. Mr. Dyson said the second part of this proposal is a transfer of \$55,623 from Character 03 to Character 01 in the Law Enforcement Fund.

Chair Vaughn asked if the bulk of the funds for both requests is for salaries. Mr. Dyson replied in the affirmative. Chair Vaughn asked if this is the total salary budget for this particular task force. Mr. Dyson replied in the negative. Chair Vaughn asked how many members are with this task force. Mr. Dyson said there are approximately 18 members, including office staff.

Councillor Moriarty Adams moved, seconded by Councillor Scales, to send Proposal No. 131, 2008 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 6-0.

[Clerk’s note: Councillor Pfisterer returned at 6:16 p.m.]

PROPOSAL NO. 132, 2008 - approves an appropriation of \$60,000 in the 2008 Budget of the Department of Public Safety, Fire Division (Non-Lapsing Federal Grants Fund) to enable Indiana Task Force One to hold two training events for the National Urban Search and Rescue Response System and cover additional fuel costs and purchase additional equipment from the Federal Emergency Management Agency (FEMA) approved cache list, funded by a grant from FEMA) and a transfer

William Brown, Battalion Chief with the Indianapolis Fire Department (IFD), said Indiana Task Force One is one of 28 federal urban search and rescue teams throughout the United States. The City of Indianapolis, through IFD, is the sponsoring agency for one of the 28 teams. He said the teams were designed to respond to natural disasters, and when the team becomes activated, they are temporary federal employees. Battalion Chief Brown said they have seen a need to expand the team, not limited to firefighters and members of the local community, but surrounding counties as well. He said they have become more of a regional team to improve response times, and their funding comes from corporate agreement annual federal grants. When the team is activated, the federal government handles the cost of activating the team. Battalion Chief Brown said they have an annual operating budget of approximately \$1 million, and their equipment is stored in Marion County in a warehouse.

Councillor Pfisterer asked when the regional team is activated, if they also bring with them equipment from various fire departments. Battalion Chief Brown replied in the negative and said they would just come in response to the disaster and use the equipment that is provided in a given area. Councillor Pfisterer said she was under the impression that when a regional team was activated, there was equipment brought in, as well, with the cost picked up by the federal government. Battalion Chief Brown said the State of Indiana is the only one with a regional team (for Central Indiana), and they are working to develop teams across Indiana. Currently, local communities have to be self-sufficient.

Councillor Scales asked if the chain of command at the federal level is still needed at the local level. Battalion Chief Brown said that in order to respond as a federal team, they will have to get approval to activate at the federal level. However, there are agreements between governors to be able to call other states for resources.

Councillor Coleman asked what Other Services and Charges within the budget are. Battalion Chief Brown said \$60,000 in grant funds were pre-awarded to host two national training classes; \$30,000 was given to each training class to cover the cost of instructors, travel cost, and supplies. He said they are also requesting a reappropriation in the amount of \$19,000 from Character 03; \$7,000 will cover Character 04 to purchase mass destruction replacement items, and \$12,000 into Character 05 will cover fuel and maintenance cost.

Councillor Pfisterer asked if the training class has already been set. Battalion Chief Brown said the class has already started. Councillor Pfisterer asked if these students represent the surrounding counties. Battalion Chief Brown replied in the negative and said the students represent all 28 of the federal teams.

Councillor Pfisterer moved, seconded by Councillor Oliver, to send Proposal No. 132, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 157, 2008 - amends the Revised Code with regards to the community corrections advisory board membership

Mr. Elrod said this proposal amends the Revised Code with regard to the qualifications of board membership to be consistent with the current statute. He said this proposal is a mirror of the State statute.

Chair Vaughn said at his first Community Corrections Advisory Board meeting, there were some inconsistencies on who is and is not on the board. He said there were also differences between the State statute that authorizes the board and the Council ordinance, which became a problem when they tried to appoint people to the board this year. Chair Vaughn said the Council records did not match who was actually serving on the board and the people who were serving did not match the statute. He said Mr. Cook asked that work be done to get the board back inline and clarify how many people and qualifications necessary to serve on the board.

Councillor Moriarty Adams asked if any feedback was requested from Brian Barton, Director of Community Corrections. Chair Vaughn replied in the negative and said Mr. Barton was present at the first board meeting when the board membership was brought

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into question. Councillor Moriarty Adams said she will be abstaining until she has had the opportunity to speak to Mr. Barton.

Councillor Pfisterer moved, seconded by Councillor Scales, to send Proposal No. 157, 2008 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 6-0-1, with Councillor Moriarty Adams abstaining.

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 6:45 p.m.

Respectfully submitted,

Ryan Vaughn, Chair
Public Safety and Criminal Justice Committee

RV/as